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Attorneys for Plaintiff YINTAO YU

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

YINTAO YU, an individual

Plaintiff,

vs.

BYTEDANCE INC., a Delaware corporation;
SHUYI (SELENE) GAO, an individual

Defendant.

Case No. 3:23-cv-04910-SI

**PLAINTIFF'S STATUS REPORT
REGARDING ARBITRATION AND
PENDING APPEAL**

[Originally San Francisco Superior Court
No. CGS-23-608845]

BYTEDANCE INC., a Delaware Corporation,

Counter-Claimant,

vs.

YINTAO YU, an individual,

Counter-Defendant.

Pursuant to the March 27, 2025, Order Denying Bills of Costs Without Prejudice to Renewal After Completion of Arbitration and Directing Status Report By May 30, 2025, Plaintiff Yintao Yu (“Yu”) submits this status report regarding the arbitration and pending appeal.

I. Arbitration

On December 5, 2024, Yu filed a Demand for Arbitration against Respondents ByteDance, Inc. (“BDI”); ByteDance, Ltd. (“BDL”); and Shuyi (Selene) Gao before the American Arbitration Association (“AAA”). On January 28, 2025, the AAA issued a case initiation letter to counsel for the parties. On February 6, 2025, the AAA scheduled an Administrative Conference for February 21, 2025, which was later continued at BDL’s request.

On February 21, 2025, Respondents requested an unopposed two-week extension to file their Answering Statements. The AAA granted the extension. On March 13, 2025, BDI and Ms. Gao filed Answering Statements.

On March 11, 2025, the AAA held the continued Administrative Conference.

On April 1, 2025, the AAA provided the parties with a list of potential arbitrators. Although the parties agreed on an arbitrator from that list, she was unavailable. On May 23, 2025, the parties requested a second list of potential arbitrators, and the arbitrator selection process remains ongoing. The parties have agreed that once the AAA provides a second list of potential arbitrators, the parties will have one week to submit their rank/strike preferences.

II. Pending Appeal

On January 13, 2025, Yu filed in this Court his notice of appeal to the Ninth Circuit. ECF 257. The Ninth Circuit opened the case on January 16, 2025, and issued a Scheduling Notice that same day that set February 25, 2025, as the opening brief deadline. No. 25-297 (9th Cir.) ECF 1, 2.

Yu retained new counsel at Susman Godfrey L.L.P. for the appeal. *See, e.g.*, No. 25-297 (9th Cir.) ECF 31 (Notice of Appearance entered Apr. 22, 2025). After informal efforts to obtain an extension of the deadline to file the opening appellate brief to accommodate new counsel failed, Yu moved to stay the appellate proceedings pending arbitration or, in the alternative, for a 90-day

1 extension to file the opening brief. No. 25-297 (9th Cir.) ECF 33, 34. Appellee BDI opposed the
2 motion on May 20, 2025. No. 25-297 (9th Cir.) ECF 39.

3 On May 30, 2025, the Ninth Circuit denied Yu's stay motion and granted his alternative
4 extension request, setting an opening brief deadline of August 25, 2025. No. 25-297 (9th Cir.)
5 ECF 42. The answering brief is due September 24, 2025, and Yu's optional reply is due 21 days
6 later. *Id.*

7
8 Dated: May 30, 2025

9 By: /s/ Jesse-Justin Cuevas

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